

432-1375

1/14/2014

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

JAN 14 2014

Mr. Jan Brill
Bayer Cropscience
2 T.W. Alexander Drive
Research Triangle Park, NC 27709

Subject: Notification to Minor Labeling Changes

Dear Mr. Brill

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated November 26, 2013 for:

EPA Registration 432-1375

Pre-Empt Fly Bait

The Registration Division (RD) has conducted a review of this request of applicability under PRN 98-10 and finds that the label changes(s) requested falls within the scope of PRN 98-10. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, call me at 703 305-5409 or electronically at daniel.dani@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Dani Daniel".

Dani Daniel
Registration Division (7504P)
Insecticide/Rodenticide Branch

NOTIFICATION

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Please read instructions on reverse before completing form.

IAN 14 2014 Form Approved, OMB No. 2070-0060



EPA

United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other:

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 432-1375	2. EPA Product Manager Venus Eagle	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Pre-Empt Fly Bait	PM# 1	
5. Name and Address of Applicant (Include ZIP Code) Bayer CropScience 2 T.W. Alexander Dr. Research Triangle Park, NC 27709	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(I), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

☐ Check if this is a new address

Section - II

☐ Amendment - Explain below. ☐ Final printed labels in response to Agency letter dated _____
☐ Resubmission in response to Agency letter dated _____ ☐ "Me Too" Application
☒ Notification - Explain below. ☐ Other - Explain below

Explanation: Use additional page(s) if necessary. (For Section I and Section II.)

Notification of Label Changes per PR Notice 98-10 - see attached Explanation Page for full details

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA

Section - III

1. Material This Product Will Be Packaged In:

Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Package wgt. No. per container	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify)
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***Certification must be submitted**

3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container	5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On labeling accompanying product
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)

Name Jan Brill	Title Manager, Registrations	Telephone No. (Include Area Code) 919/549-2421
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Manager, Registrations	
4. Typed Name Jan Brill	5. Date 26 November 2013	

Pre-Empt Fly Bait
EPA Reg. No. 432-1375
26 November 2013

Section II Explanation – Continued

Notification of changes to labeling

1. On page 1, we added the already approved Alternate Brand Name (ABN) Maxforce Granular Fly Bait under the Primary Brand Name. The ABN was originally submitted to the agency by notification on October 14, 2002.
2. Also on page 1, we added an optional placeholder for a housefly (*musca domestica*) image that we intend to put on the printed package label. Below this we clarified the fact that bracketed text is optional. This should be allowable by notification under PRN 98-10(II)(H) because addition of a housefly image does not substitute for or conflict with label text, and is not false and misleading because the product is intended to control this pest.
3. Also on page 1, we added the word "TOTAL" to the bottom of the Ingredient box.
4. On page 4, we changed the "Container Disposal" to "Container Handling" as preferred by the agency in the most recent Label Review Manual.
5. On page 5, we updated our company name from "A Business Group of Bayer CropScience LP" to "A Division of Bayer CropScience LP".

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A collection of 15 small, stylized line drawings of various birds, including shorebirds, waterfowl, and songbirds, arranged in a grid-like fashion.

PRE-EMPT® FLY BAIT

Editorial Note – [Bracketed text] is optional language

TOTAL:	100.00%
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EPA Est. No.

KEEP OUT OF REACH OF CHILDREN.

CAUTION

FIRST AID	
If swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to by a poison control center or doctor. • Do not give anything to an unconscious person.
If on skin:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 - 20 minutes. • Call a poison control center or doctor for treatment advice.
If inhaled:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. • Call a poison control center or doctor for further treatment advice.
If in eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 - 20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
<p>Have the product container or label with you when calling a poison control center or doctor or going for treatment. The Bayer Environmental Science Emergency Response Telephone No. is 1-800-334-7577.</p>	
<p>NOTE TO PHYSICIAN: No specific antidote is available. Treat the patient symptomatically.</p>	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed, absorbed through skin, or inhaled. Avoid contact with eyes, skin, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, or using tobacco.

ENVIRONMENTAL HAZARDS

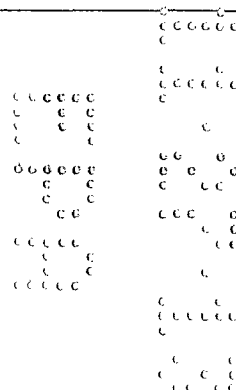
This product is highly toxic to aquatic invertebrates.

Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters or rinsate. This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area. This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

PRODUCT FACTS

- Fast acting
- Ready-to-use scatter bait or paint-on application
- Contains a specially formulated mixture of attractants
- Controls flies resistant to organophosphates and carbamates


PRE-EMPT® FLY BAIT	<ul style="list-style-type: none"> • Ready-to-use bait containing 0.5% imidacloprid. • Contains the attractant muscalure. • Contains Bitrex® bittering agent to help prevent ingestion by animals, children, and pets.
CONTROLS	Flies
WHERE TO APPLY	<ul style="list-style-type: none"> • Around the outside of structures or partially enclosed or protected areas. • In and around agricultural production facilities. • Around the outside of commercial facilities.
MIXING INFORMATION	<ul style="list-style-type: none"> • Ready-to-use scatter bait. • Paint-on application: Mix the fly bait with water.
HOW TO APPLY	<ul style="list-style-type: none"> • Scatter application. • Place in any fly bait station. • Paint-on application.
COVERAGE	XX Square feet (5.7 to 6.3 oz/1,000 sq ft)
RE-APPLY	Re-apply every 7 days as needed.
QUESTIONS ??	For questions or comments, call toll-free 1-800 331-2867.



DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

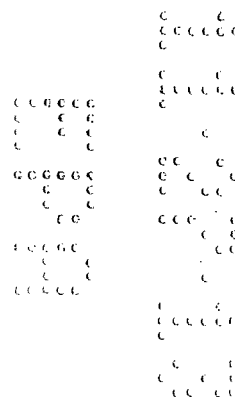
FLY MANAGEMENT

WHERE TO APPLY	<ul style="list-style-type: none"> For use only around the outside of commercial facilities like canneries, dairy, meat and poultry processing plants, beverage plants, food processing plants, restaurants, bakeries, supermarkets, warehouses, dumpsters, grease pits, recycling areas, loading docks. For use only around the outside of agricultural production facilities like broiler houses, feedlots, livestock housing structures, and horse stables. For use only around the outside of and in walkways of caged layer houses. Place bait in areas inaccessible to animals. In horse stables, apply bait only in fly bait stations. Place bait stations in areas inaccessible to animals.
USE RATE	<ul style="list-style-type: none"> 5.7 to 6.3 oz/1,000 sq ft (scatter bait and bait station)
HOW TO APPLY	<p>Apply the bait in many locations. Avoid cool or windy locations because flies prefer warm sites for resting. Time applications to begin at the start of the season before fly populations have reached their peak.</p> <ul style="list-style-type: none"> Scatter application: Scatter the bait directly from the container onto dry level surfaces so that the individual granules lie near each other without forming small piles. Bait stations: Place in any fly bait station. Use 1 bait station to cover approximately 250 sq ft, and add up to 1.6 oz of bait per station. Secure bait stations at least 4 feet above the ground. Bait stations should be inaccessible to food-producing animals, children, and pets. Paint-on application: Mix 1.5 oz bait with 1 fl oz warm water (3 lbs bait in 1-quart water) and stir thoroughly. Let stand for about 15 minutes until a paste consistency suitable for painting has formed. Apply the paste with a brush to surfaces where flies rest avoiding surfaces that are dusty.
RESTRICTIONS 	<ul style="list-style-type: none"> Do not place bait in areas accessible to food producing animals, children, and pets. Do not allow bait to come into contact with food or water. Do not apply to milking equipment. Do not apply inside food processing plants, restaurants or other commercial facilities.

MANAGEMENT TIPS

For Best Results: use the bait as part of an overall Integrated Pest Management program.

- Use proper sanitation and manure management.
- Use along with dilutable sprays like TEMPO®.
- Use proper light management.



IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Bayer CropScience LP. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE LP MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Bayer CropScience LP is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE LP DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

LIMITATIONS OF LIABILITY: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID. OR AT BAYER CROPSCIENCE LP'S ELECTION, THE REPLACEMENT OF PRODUCT.

Net Contents:

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PRODUCED FOR



Bayer Environmental Science

A Division of Bayer CropScience LP
PO Box 12014 2 T. W. Alexander Drive
Research Triangle Park, NC 27709

Maxforce® Granular Fly Bait (PENDING) 11/20/2013